

# SYMPOSIUM: EFFECTIVE EXPERT TESTIMONY

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## Introduction

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**REFERENCE:** Sognaes, R. F., "Introduction—Effective Expert Testimony," *Journal of Forensic Sciences*. JFSCA, Vol. 28, No. 2, April 1983, pp. 516-517.

**SYNOPSIS:** This symposium was organized, with the help of several academicians who have served as professors of Speech and related Communication Departments at Universities in and around Los Angeles, for a panel discussion held there during the 33rd Annual Meeting of the American Academy of Forensic Sciences, 17-20 Feb. 1981. Serving as moderator under the sponsorship of the AAFS's Odontology Section, the topic of "Effective Expert Testimony" was considered in the following sequence, related to various aspects of court communications: (1) the expert witness and the use of videotape recordings; (2) the role of nonverbal communication in the course of expert testimony; (3) the nature of jury response to the expert witness; (4) the major components of source credibility of the expert witness; and, as a kind of concluding verbal "autopsy" (5) discussion of the legal dimensions and practical court experiences pertinent to effective testimony. Within AAFS the practical applications of forensic sciences have been encouraged by multidisciplinary cooperation, joint sessions, and so forth. Similarly, the basic contribution by academicians within the University family offers promise of a return in forensic science research and education. Not only does that apply to interdisciplinary participation by Schools of Dentistry, Law, Medicine, Public Health, and Social Sciences, but also by academic Campus Divisions dealing with the Humanities, including such Departments as Communication and Speech, as illustrated by the present Symposium on Effective Expert Testimony.

**KEYWORDS:** symposium, jurisprudence, witnesses, testimony

The following papers discuss various areas related to being an expert witness. Each author covers a different aspect: Dr. Kessler discusses the use of videotape and the expert witness, Dr. Miller discusses the role of nonverbal communication in the course of expert testimony, Dr. Rosenthal speaks on the nature of jury response to the expert witness, Dr. Sereno identifies the major components of source credibility of the expert witness and, Dr. Isaac critiques the papers. I coordinated the symposium. These papers represent the essence of comments delivered to the 33rd Annual Meeting of the American Academy of Forensic Sciences, Los Angeles, CA 17-20 Feb. 1981 at the symposium.

The first panelist is Dr. Joan Kessler, who has a masters degree from University of California, Los Angeles (UCLA), a Ph.D. from the University of Michigan, and is currently

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associate professor of Speech Communication at California State University, Northridge, CA. Her research interest has to do with jury decision and her research has been cited in two U.S. Supreme Court decisions. She is also interested in intercultural communication and has done consulting work for many agencies including the Cook County Sheriffs' Department in Chicago and the Los Angeles Police Department. Dr. Kessler previously taught at Loyola University of Chicago and their Law School.

The next panelist, Thomas Heinkel Miller, is the one who helped most in organizing his colleagues in Communication sciences at these different universities. He is Director of Forensics in the College of Letters and Science, Division of Honors at UCLA. He has ranked the UCLA Debate Team number one in the nation. His research is in the area of nonverbal communication in the courtroom. Thus, he serves as a communication consultant to a number of law firms in Los Angeles as they prepare for a trial. I think you will be fascinated by the observations he has made in this area. Perhaps his paper will stimulate thought about the possible implications of nonverbal communication in our own forensic science fields.

The next presentation in our Symposium on Effective Expert Testimony deals with the Nature of Jury Response to the Expert Witness. Dr. Paul Rosenthal, the speaker, is Professor and Chairman of the Communications Studies Program at UCLA. His academic interests and research publications center on the theory of persuasive communication, communication theory, mass communication, and legal communication.

To enlighten us regarding the importance of source credibility in the establishment of expert testimony Dr. Kenneth K. Sereno from the University of Southern California (USC) presents his paper.

Dr. Sereno obtained his B.A. and M.A. degrees from the University of Hawaii before completing his Ph.D. degree in Speech Psychology at the University of Washington in 1964. There he taught until 1968 when he was appointed Associate Professor in the Department of Communication Arts and Sciences at USC. His books and research articles have dealt extensively with fundamental and advanced communication theory and its practical applications; and he has held an impressive number of important local and national offices, including service on scholarly editorial boards.

Finally, we were very fortunate to have the Chairman of the AAFS's Jurisprudence Section, Godfrey Isaac, Esq., on the panel to perform a legal "autopsy" on our expert communications commentators.

I cannot begin to do justice in introducing Dr. Isaac. So I will merely present him as the distinguished trial lawyer who for 30 years has had some very prominent cases, including the Sirhan Sirhan case, the Judy Garland case, and so forth. Some of his great experience is related in his famous book, *I'll See You in Court*, suggested for supplementary reading.

In conclusion, I wish to express our thanks to the panel members, especially to those who were our guest speakers from several local Universities rather than being members of our Forensic Sciences Academy. Also I am grateful to our legal expert Godfrey Isaac for having helped us with his court interpretation of the practical merits of the behavioral sciences.

Cooperative efforts of this nature—Socrates' definition of the "symposium," that is, "drinking together,"—will undoubtedly offer great promise in promoting the aims of our Academy and our diverse professions and also stimulate further input by colleagues within our Universities.

Lastly, a note of appreciation to the audience participants for the encouraging attention and evident interest in the subject of "Effective Expert Testimony."

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